IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

Notice of Motion No. 438 of 2004
In
Writ Petition No. 778 of 1993

Shankar Parshuram Joshi .. Petitioner.
V/s.
The State of Maharashtra and Anr. .. Respondents.

Ms. Seema Sarnaik for the Petitioner.
Ms. M. Kajale for the Respondent Nos. 1 and 2.

CORAM : S. RADHAKRISHNAN &
S.J. VAZIFDAR, JJ.
DATED : 20.09.2004.

P.C.:-

1. Heard the learned counsel for the Petitioner and the learned Assistant Government Pleader for the Respondent Nos. 1 and 2. By this Notice of Motion, the Petitioner is seeking recall of our order dated 11.8.2004, whereby the above Petition was dismissed for default. Perused the Affidavit in support of the Notice of Motion. For the reasons stated therein, sufficient cause is made out for restoration. There is no case of inaction, negligence or want of bonafide, hence Notice of Motion is made absolute in terms of prayer clause (a) and (b), subject to the Petitioner paying costs quantified at Rs. 250/- to the Maharashtra State Legal Services Authority, as condition precedent, within a period of two weeks from today. Place the matter on Board for final hearing on 11.10.2004.

(S. RADHAKRISHNAN, J.)

(S.J. VAZIFDAR, J.)